

**MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
APRIL 11, 2023, 4:00PM**

**DOCKET 1381
7 WENDOVER DRIVE**

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, April 11, 2023.

The following members of the Board were present:

Chairman Liza Forshaw
Ms. Laura Long
Ms. Elizabeth Panke
Mr. Lee Rottmann
Mr. David Schlafly

Also present: Mayor Spewak; Erin Seele, City Attorney; Anne Lamitola, Director of Public Works; Paul Garlock, Building Commissioner; Andrea Sukanek, City Planner; and Lori Mullins, Deputy City Clerk.

Ms. Forshaw called the meeting to order at 4:02 P.M.

Approval and Adoption of the Agenda

The agenda was adopted unanimously upon motion by Ms. Long and second by Mr. Rottmann.

Approval of the Minutes from the March 7, 2023, meeting

The minutes were approved unanimously upon motion by Ms. Long and second by Mr. Rottmann.

Docket 1381	Petition submitted by Chelsea Davis of Gemstone Construction on behalf of Mark and Betty Goran for the property located at 7 Wendover Drive. The petitioner is requesting relief from the City Planner denying a retaining wall that encroaches into the required retaining wall setback, in violation of Ladue Zoning Ordinance #1175, Section IV-F-3.
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Ms. Forshaw introduced the following exhibits to be entered into the record:

- Exhibit A – Zoning Ordinance 1175, as amended;
- Exhibit B – Public Notice of the Hearing;
- Exhibit C – Letter of Denial dated February 7, 2023;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter requesting the variance dated February 6, 2023;
- Exhibit F – Entire file relating to the application
- Exhibit G – Additional applicant handout

Ms. Forshaw stated that Docket 1381 was continued from the March 7th meeting and asked the applicant if the any revisions were made to the plans submitted in March. The applicant stated that the plans were not modified.

Ms. Sukanek reported that 7 Wendover Drive is located in the "C" zoning district, and thus a retaining wall is permitted to be up to 3' in height as long as it is located half the setback distance from the property line, or in this case 8.5' from the property line. The proposed wall is less than 5' from the property line.

Ms. Chelsea Davis of Gemstone Construction took the oath and reported that the variance is necessary to support an expanded driveway to access the new garage (for which the Board is considering a separate variance at the same meeting). The lot is narrow in the front and abuts both Graybridge Road and Graybridge Drive.

Ms. Davis supplied a handout with additional information, which Ms. Forshaw entered into the record as exhibit G.

Ms. Patricia Kolbrener, 8 Wendover Drive arrived, took the oath, and reported that she has no issues with the project.

Ms. Forshaw stated that since the applicant is requesting two variances, and the plans are connected, the Board would hear testimony for both applications before voting on each variance separately.

After discussion of the facts presented, including the irregular shape of the lot, the small buildable area, the support of the neighbors, and the Board's decision to grant the variance for the proposed garage, it was determined that practical difficulties exist. Ms. Panke moved to overturn the decision of the City Planner and grant the variance for the retaining wall. Mr. Schlafly seconded the motion. The vote was as follows:

Ms. Liza Forshaw	"approve"
Ms. Laura Long	"approve"
Ms. Elizabeth Panke	"approve"
Mr. Lee Rottmann	"approve"
Mr. David Schlafly	"approve"

With five (5) votes in favor and zero (0) against, the motion passed, the ruling of the Building Commissioner was overturned, and the variance was granted.

Adjournment

At 4:56 p.m. the meeting adjourned upon motion of Ms. Long and second of Mr. Schlafly.

DOCKET 1381

DATE OF HEARING

April 11, 2023

NAME

Chelsea Davis

DESCRIPTION OF PROPERTY

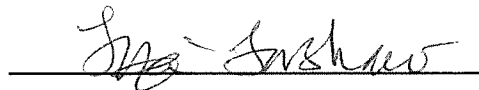
7 Wendover Drive

CAUSE FOR APPEAL

The petitioner is requesting relief from the City Planner denying a retaining wall that encroaches into the required retaining wall setback, in violation of Ladue Zoning Ordinance #1175, Section IV-F-3.

RULING OF THE BOARD

After discussion, on the basis of the evidence presented, the Board finds that practical difficulties exist. The decision of the City Planner is overturned, and the variance is granted.

A handwritten signature in black ink, appearing to read "Liza Forshaw", is written over a horizontal line.

Ms. Liza Forshaw

**MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
APRIL 11, 2023, 4:00PM**

**DOCKET 1382
7 WENDOVER DRIVE**

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, April 11, 2023.

The following members of the Board were present:

Chairman Liza Forshaw
Ms. Laura Long
Ms. Elizabeth Panke
Mr. Lee Rottmann
Mr. David Schlafly

Also present: Mayor Spewak; Erin Seele, City Attorney; Anne Lamitola, Director of Public Works; Paul Garlock, Building Commissioner; Andrea Sukanek, City Planner; and Lori Mullins, Deputy City Clerk.

Ms. Forshaw called the meeting to order at 4:02 P.M.

Approval and Adoption of the Agenda

The agenda was adopted unanimously upon motion by Ms. Long and second by Mr. Rottmann.

Approval of the Minutes from the March 7, 2023, meeting

The minutes were approved unanimously upon motion by Ms. Long and second by Mr. Rottmann.

Docket 1382

Petition submitted by Chelsea Davis of Gemstone Construction on behalf of Mark and Betty Goran for the property located at 7 Wendover Drive. The petitioner is requesting relief from the City Planner denying building additions due to setback requirements. The garage addition and the proposed deck encroach into the required 50' setback from Graybridge Road which is in violation of Ladue Zoning Ordinance #1175, Section V-B-1. The main structure may not be located in the required front yard which is in violation of the Ladue Zoning Ordinance #1175, Section V-C-1(b).

Ms. Forshaw introduced the following exhibits to be entered into the record:

- Exhibit A – Zoning Ordinance 1175, as amended;
- Exhibit B – Public Notice of the Hearing;
- Exhibit C – Letter of Denial dated February 7, 2023;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter requesting the variance dated February 6, 2023;
- Exhibit F – Entire file relating to the application

Ms. Sukanek reported that 7 Wendover Drive is located in the "C" zoning district, and the required front yard setback is 50'. There are 2 front yards. The proposed addition encroaches into the Graybridge setback 18'. The encroachment is 28' wide. The proposed garage is 28' X 33'. A proposed 14' x 20' covered deck would also be placed in the Graybridge setback.

Ms. Chelsea Davis of Gemstone Construction took the oath and reported that the variance is necessary for the garage and office addition. The existing garage, which would be retained, is only suitable for small vehicles. The lot is narrow in the front and abuts both Graybridge Road and Wendover Drive. The buildable area is only about 20 percent of the lot, which is unusually small.

Mr. Mark Goran took the oath and addressed the Board members, sharing that the existing garage can only hold a small S.U.V. and a compact car. Neighboring locations have received variances encroaching into the setbacks on Graybridge Road, including 2 Wickersham Lane across Graybridge from the subject property.

The existing garage was described as about 19' x 19' including steps.

Ms. Patricia Kolbrener, 8 Wendover Drive, under oath, again spoke in support of the proposal. Her garage is similarly close to Graybridge.

Ms. Forshaw was not convinced of practical difficulties regarding the size of the existing garage, and stated her opinion that 2 Wickersham was distinguishable because there was no garage at the time the Board granted the variance, and the proposed garage was in line with the existing nonconforming house.

After discussion of the facts presented, including the irregular shape of the lot, the limited buildable area, and consistency with the neighborhood, it was determined that practical difficulties exist. Mr. Schlafly moved to overturn the decision of the City Planner and grant the variance for the addition. Ms. Panke seconded the motion. The vote was as follows:

Ms. Liza Forshaw	"deny"
Ms. Laura Long	"approve"
Ms. Elizabeth Panke	"approve"
Mr. Lee Rottmann	"approve"
Mr. David Schlafly	"approve"

With four (4) votes in favor and one (1) against, the motion passed, the ruling of the Building Commissioner was overturned, and the variance was granted.

Adjournment

At 4:56 p.m. the meeting adjourned upon motion of Ms. Long and second of Mr. Schlafly.

DOCKET 1382

DATE OF HEARING

April 11, 2023

NAME

Chelsea Davis

DESCRIPTION OF PROPERTY

7 Wendover Drive

CAUSE FOR APPEAL

The petitioner is requesting relief from the City Planner denying building additions due to setback requirements. The garage addition and the proposed deck encroach into the required 50' setback from Graybridge Road which is in violation of Ladue Zoning Ordinance #1175, Section V-B-1. The main structure may not be located in the required front yard which is in violation of the Ladue Zoning Ordinance #1175, Section V-C-1(b).

RULING OF THE BOARD

After discussion, on the basis of the evidence presented, the Board finds that practical difficulties exist. The decision of the City Planner is overturned, and the variance is granted.

A handwritten signature in cursive script, appearing to read "Liza Forshaw", is written over a horizontal line.

Ms. Liza Forshaw

**MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
APRIL 11, 2023, 4:00PM**

**DOCKET 1383
35 UPPER LADUE ROAD**

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, April 11, 2023.

The following members of the Board were present:

Chairman Liza Forshaw
Ms. Laura Long
Ms. Elizabeth Panke
Mr. Lee Rottmann
Mr. David Schlafly

Also present: Mayor Spewak; Erin Seele, City Attorney; Anne Lamitola, Director of Public Works; Paul Garlock, Building Commissioner; Andrea Sukanek, City Planner; and Lori Mullins, Deputy City Clerk.

Ms. Forshaw called the meeting to order at 4:02 P.M.

Approval and Adoption of the Agenda

The agenda was adopted unanimously upon motion by Ms. Long and second by Mr. Rottmann.

Approval of the Minutes from the March 7, 2023, meeting

The minutes were approved unanimously upon motion by Ms. Long and second by Mr. Rottmann.

Docket 1382 Petition submitted by Susan Rechter for the property located at 35 Upper Ladue Road. The petitioner is requesting relief from the City Planner denying a pool that extends west of the main structure towards Upper Ladue Road, which is considered to be partially in the front yard. This is in violation of the Ladue Zoning Ordinance #1175, Section V-C-1(b).

Ms. Forshaw introduced the following exhibits to be entered into the record:

- Exhibit A – Zoning Ordinance 1175, as amended;
- Exhibit B – Public Notice of the Hearing;
- Exhibit C – Letter of Denial dated February 23, 2023;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter requesting the variance dated March 5, 2023;
- Exhibit F – Entire file relating to the application

Ms. Sukanek explained the denial. 35 Upper Ladue Road, in the “B” zoning district, and sits on a corner lot with 2 front yards. The proposed pool extends west of the main structure toward Upper Ladue Road and is therefore considered to be partially in the front yard.

Drew Bradshaw, from the Pool Specialists, took the oath, stating that the proposed location complies with all setbacks (which are 50' on all sides). The setback requirements and existing structure placement complicated the plans.

Mrs. Susan Rector took the oath and shared that the house was built in the 1920s, and in 1988 the property was subdivided, creating 2-acre parcels, and leaving # 35 with a limited back yard. The proposal has neighbor support. Screening and landscaping are planned. The proposed small 14' x 30' pool would be placed behind the house alongside the existing patio, 145' from Upper Ladue Road.

Chairman Forshaw read Section XI.H of the zoning code on the specific power of the Board to grant variances "To permit accessory building: (a) in front of a main building (but not in the required front yard) in the A and B Districts; and (b) in front yards of corner lots or in either of the front yards of a through lot in any district" and noted its applicability to the present case.

After discussion of the facts presented, including the huge second front yard, the placement limitations due to the corner lot, and the low impact on passersbys, it was determined that practical difficulties exist. Ms. Long moved to overturn the decision of the City Planner and grant the variance. Ms. Panke seconded the motion. The vote was as follows:

Ms. Liza Forshaw	"approve"
Ms. Laura Long	"approve"
Ms. Elizabeth Panke	"approve"
Mr. Lee Rottmann	"approve"
Mr. David Schlafly	"approve"

With five (5) votes in favor and zero (0) against, the motion passed, the ruling of the City Planner was overturned, and the variance was granted.

Adjournment

At 4:56 p.m. the meeting adjourned upon motion of Ms. Long and second of Mr. Schlafly.

DOCKET 1383

DATE OF HEARING

April 11, 2023

NAME

Susan Rechter

DESCRIPTION OF PROPERTY

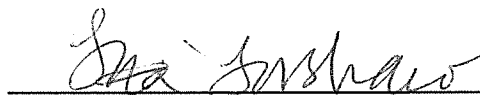
35 Upper Ladue Road

CAUSE FOR APPEAL

The petitioner is requesting relief from the City Planner denying a pool that extends west of the main structure towards Upper Ladue Road, which is considered to be partially in the front yard. This is in violation of the Ladue Zoning Ordinance #1175, Section V-C-1(b).

RULING OF THE BOARD

After discussion, on the basis of the evidence presented, the Board finds that practical difficulties exist. The decision of the City Planner is overturned, and the variance is granted.

A handwritten signature in black ink, appearing to read "Liza Forshaw", is written over a horizontal line.

Ms. Liza Forshaw